

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3188 of 1984

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

HARDYAL SINGH

Versus

OIL AND NATURAL GAS COMMISSION

Appearance:

None present for Petitioner
MR RAJNI H MEHTA for Respondents No.1, 2
None present for Respondents No.3, 4

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 01/04/97

ORAL JUDGEMENT

The matter was called out for hearing in the first round then in the second round and lastly, in the third round, but none put appearance on behalf of the petitioner. Perused the Special Civil Application and heard the learned counsel for the respondents.

The petitioner, a Foreman (Mechanic), Oil and Natural Gas Commission, Sabarmati, Ahmedabad, filed this Special Civil Application and has prayed that the respondents may be directed to promote him to the post of

Assistant Executive Engineer (Mechanical) with effect from 1-10-1982.

The learned counsel for the respondents No.1 and 2 stated before this Court that after filing of this Special Civil Application subsequent developments have taken place. The petitioner has been given the promotion on the post of Assistant Executive Engineer (Mechanical) with effect from 1-1-1985 and secondly, he has already retired from the services of the Commission on 31st September, 1991, on attaining the age of superannuation. So the grievance of the petitioner, no more survives. He has been given the promotion and he has retired from the services. The absence of the counsel for the petitioner suggests that the petitioner has satisfied with the promotion given to him on the post of Assistant Executive Engineer (Mechanical) with effect from 1-1-1985.

However, the interest of justice will be served in case this petition is disposed of in the terms that still if the petitioner has any grievance in the matter after his promotion on the post of Assistant Executive Engineer (Mechanical) with effect from 1-1-1985, he may make a representation to the respondent, and in case, such a representation is made, the respondent-Commission shall consider the same on merits in accordance with law. This Special Civil Application and the Rule stands disposed of in the aforesaid terms with no order as to costs.

zgs/-